

Document No. 2497
Adopted at Meeting of 5/10/73

May 10, 1973

MEMORANDUM

TO: The Boston Redevelopment Authority 5
FROM: Robert T. Kenney, Director
SUBJECT: Proposed Settlement of Female Employees Complaints

Attached is a proposed settlement of complaints of alleged sex discrimination brought against the Authority by 11 past and present female members of the staff and filed with the Massachusetts Commission Against Discrimination (MCAD) in April, May, and June 1970. Of the initial complaints, 2 were dismissed by the MCAD Hearing Commissioner on January 14, 1973. However, 2 additional female complaints were filed in 1971 and 1972, respectively, maintaining the unresolved complaints at 11 - 5 active and 6 former employees.

The original 11 complainants also filed their alleged discrimination complaints with HUD Regional Office E.O. Administrator on July 16, 1971 as they, at that time, were dissatisfied with MCAD's failure to rapidly resolve the initial complaints.

Subsequent to a perfunctory investigation by an MCAD investigator of the complaints during 1970, an informal conference was held in January 1971 at MCAD, and the Investigating Commissioner, in June 1971, issued a probable cause finding and a conciliatory agreement that was not acceptable and the case went to public hearings.

Since that time, during the past 22 months, 31 hearings have been held before 4 different MCAD Commissioners and the case has not been completed. In addition, since last October, we have attempted in good faith to reach a settlement in negotiation with the complainants' counsels.

Attached is a recommended proposed settlement that appears acceptable to me and the complainants to resolve the alleged complaints. It will be considerably less expensive in overall costs than the continuance of this case through MCAD and resultant appeals by either side in the courts.

Also attached is a proposed vote to achieve the settlement, a copy of the complainants initial settlement offer in June 1972 to show original cost of the complainants' first proposal, and, a copy of the complainants' latest settlement offer of March 1973.

Attachment A - Proposed Settlement of Female Employee Complaints
Attachment B - Proposed Vote
Attachment C - Proposed Settlement Offer of Complainants June 16, 1972
Attachment D - Proposed Settlement Offer of Complainants for Active Employees -
March 27, 1973

Confidential - For Executive Session

May 10, 1973

Proposed Settlement of Female Complaints

It is proposed that the 11 active complainants of alleged sex discrimination of former and present employees be settled for a lump sum of \$55,000 in accordance with the terms of a stipulation of settlement filed by complainants and respondents with the Massachusetts Commission Against Discrimination.

It is further proposed that the 5 female complainants still employed be changed in status as recommended below and that these status changes be made effective on the date an agreed stipulation of settlement is filed with the Massachusetts Commission Against Discrimination.

	<u>Name</u>	<u>Position Class.</u>	<u>G/S</u>	<u>Salary to</u>	<u>Position Class.</u>	<u>G/S</u>	<u>Salary</u>
1.	Marie Murphy	Admin. Secy	9-5	\$ 9,638	Admin. Asst. II	10-4	\$10,240
2.	Marcia Myers	Chief of Environ. Planning	15-3	16,000	Chief of Environ. Planning	15-3	16,386
3.	Barbara Pollock	Secy Steno II	6-4	7,085	Tech. I	7-3	7,125
4.	Lucile Sims	Sr. Planner (Pres.&Zoning)	12-6	13,929	Deputy Dir. Zoning	14-3	14,843
5.	Ann Wolpert	Librarian (Sr.)	10-4	10,240	Sr. Librarian	11-4	11,398

Proposed Vote is attached.

June 16, 1972

Arthur G. Coffey, Esq.
Boston Redevelopment Authority
Room 900
City Hall
Boston, Massachusetts 02201

Dear Mr. Coffey:

Re: Pat Crowe et al. v. Boston Redevelopment Authority

Pursuant to the request you made at our last hearing at the Massachusetts Commission Against Discrimination on May 26, 1972, submitted herewith is the offer of settlement of all the sex discrimination complaints presently pending before the MCAD against the Boston Redevelopment Authority.

Back pay has been carefully computed for each individual, and interest at the rate of 6% of each complainant's back pay total has been added. The back pay and interest figures listed below are computed through May, 1972. Also, beginning with June, 1972, there must be added a cumulative back pay figure of \$1056.00 per month for back pay of currently employed complainants.

Complainant	Back Pay	Interest	Total
Patricia Ward Crowe	\$ 1,331.00	\$ 80.00	\$ 1,411.00
Tina E. Freeman	2,681.00	161.00	2,842.00
Lisa Anne Gray	2,434.00	146.00	2,580.00
Mario E. Murphy	9,722.00	583.00	10,305.00
Marcia L. Myers	10,605.00	636.00	11,241.00
Kristin T. O'Connell	6,050.00	306.00	6,356.00
Rosalind Pollan	19,260.00	1,156.00	20,416.00
Barbara A. Pollock	3,228.00	194.00	3,422.00

.../...

Arthur G. Coffey, Esq.

2

June 16, 1972

Complainant	Back Pay	Interest	Total
Edeth Diane Schmalensee	\$ 2,376.00	\$ 143.00	\$ 2,519.00
Lucile C. Sims	20,193.00	1,212.00	21,405.00
Ellen M. Snyder	809.00	49.00	858.00
Mary Jo Sorce	3,936.00	236.00	4,172.00
Ann J. Wolpert	8,174.00	490.00	8,664.00
Total back pay and interest			\$96,191.00
Punitive Damages			80,000.00
Costs and expenses (excluding attorney's fees)			500.00
Total			\$176,691.00

In addition, the BRA must adopt an affirmative action program to eliminate sex discrimination now and in the future. This program, the details of which will be submitted to you shortly, goes beyond the Formal Affirmative Action Program - Amendment No. 16 to Personnel Policy, which was adopted by the BRA Board on May 18, 1972.

Please be assured that the complainants have every desire to settle this case as quickly as possible. We know you are aware that damages continue to accumulate and that you too are desirous of concluding this matter. We look forward to hearing from you very soon.

Sincerely yours,

Ruth R. Budd (Mrs.)

RRB:lcc

Attachment (2)

11 Warwick Road
Brookline, Mass. 02146
March 27, 1973
1973 MAR 27 PM 4:50

BOSTON REDEVELOPMENT
AUTHORITY

Arthur Coffey, Esq.,
Boston Redevelopment Authority
City Hall
Boston, Mass.

Dear Arthur,

Below are listed the upgradings that complainants are willing to accept. Such upgradings would, of course, be in addition to retroactive upgradings for complainants no longer with the Authority, an affirmative action plan acceptable to both sides, and whatever monetary sum is agreed on.

Upgradings for complainants now with the BRA.

Marie Murphy	Administrative Assistant III	Grade 11	Step 5	\$11,948
Marcia Myers	Chief of Envir. Planning	Grade 15	Step 4	\$17,185
Barbara Pollock	Compliance Assistant I	Grade 9	Step 5	\$9,638
Lucile Sims	Director of Zoning	(ungraded)		\$17,220
Ann Wolpert	Sr. Librarian	Grade 13	Step 3	\$13,410

Sincerely,

Betty A. Gittes
Betty A. Gittes

